

which, with the bill, was referred to Committee on Internal Improvements.

A bill to amend the Act of Limitations. Read 2nd time and passed over on a call of the Senate.

A bill to validate the official acts of J. M. Connelly, Sheriff of Cass County. Report of committee adverse to the bill adopted.

A bill supplemental to an Act to incorporate the West Fork Bridge Company. Read 2nd time. Amendment of committee adopted, and bill ordered to be engrossed. Rule suspended, read 3rd time.

Mr. Hartley moved to amend by striking out all after the word "limits" in 1st section. Adopted. The bill was then postponed until 11 o'clock tomorrow.

The call of the Senate having been suspended, the bill to amend the Act of Limitations was referred to Judiciary Committee.

A bill to regulate the time and place of electing Confederate States Senators. Read 2nd time. Mr. Hartley moved to lay on table, which was carried by the following vote:

YEAS—Messrs. Burnett, Crawford of Jasper, Dickson, Erath, Finlay, Graham, Hartley, Mitchell, Moore, Beasley, Obenchain, Parsons, Selman, and Weatherford—14.

NAYS—Messrs. Branch, Crawford of Fannin, Darden, Guinn, Harcourt, Houston, Jordan, Lea, Scarborough, Shelley, Shepard, and Wheeler—12.

Mr. Erath, Chairman of Committee on Public Lands, reported a substitute for a bill for the relief of preemption settlers and recommended its adoption.

A bill for the relief of railroad companies. Read 2nd time. Mr. Weatherford offered the following amendment: "provided that all railroad companies, in order to avail themselves of the benefits of this Act, shall file in the Comptroller's Office their mortgage deeds to all the lands donated to them by the State as additional security for the payment of the prinipal and interest named in said said Act."

On motion the Senate adjourned until 10 o'clock A. M. tomorrow.

Tuesday, December 17, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Harcourt, Chairman of the Judiciary Committee, reported the following bills with the recommendation that they do not pass.

A bill authorizing the county courts of the several counties in this State to levy and collect a special tax for war purposes, &c.

A bill to prescribe the mode of appropriating islands containing less than 160 acres.

A bill to provide for special terms of district courts for trial of persons charged with high crimes.

A bill to regulate procedures of district judges in cases of **habeas corpus**.

A bill to regulate procedure of district courts as to injunctions; and a substitute for a bill to suspend the Statutes of Limitations in certain cases, recommending its adoption and passage.

Mr. Guinn, Chairman of Committee on Claims and Accounts, upon the petition of Elias Cassels reported a bill for his relief which was read 1st time.

As Chairman, on the part of the Senate, of the Joint Committee on the Court of Claims, Mr. Guinn reported the following bills and recommended their passage:

A bill for the relief of certain persons named therein.

A bill to validate certain certificates for land therein named.

And a bill amendatory of and supplementary to the Act to reorganize the Court of Claims and to extend the time for the presentation of claims against the Republic or State of Texas, approved February 7, 1860.

Mr. Hartley, Chairman of the Committee on State Affairs, reported a substitute of the following bills respectively and recommended their adoption and passage:

A bill to authorize the superintendent to receive Minerva J. Fannin into the lunatic asylum and to contract with her guardian for her support and maintenance.

A bill to amend an Act to authorize the formation of town and county agricultural societies, approved February 8, 1860.

And the following bills recommending their passage:

A bill to incorporate the Texas Manufacturing Company.

A bill to incorporate the Fort Bend Manufacturing Company.

Mr. Beasley introduced a bill supplementary to the several Acts incorporating the Southern Pacific Railroad Company and for the relief of said company. Read 1st

and 2nd times and referred to Committee on Internal Improvement.

The amendment offered by Mr. Weatherford to the bill for the relief of railroad companies being in order, Mr. Weatherford moved a call of the Senate, which being sustained, Mr. Burnett's resolution to adjourn *sine die* was taken up.

Mr. Erath moved to strike out "Monday" and insert "Wednesday, 25th." Mr. Scarborough moved to lay the resolution and amendment on the table, upon which the yeas and nays stood:

YEAS—Messrs. Batte, Cook, Darden, Durant, Graham, Guinn, Harcourt, Hartley, Jordan, Lea, Mitchell, Beasley, Obenchain, Parsons, Reed, Scarborough, Selman, Shelley, and Shepard—19.

NAYS—Messrs. Boyd, Branch, Burnett, Crawford of Fannin, Crawford of Jasper, Dickson, Erath, Finlay, Moore, Weatherford, and Wheeler—11.

The Committee of Conference, on the disagreement of the two Houses on a bill for the protection of the frontier, reported the following substitute for the 8th section of the bill: "that no portion of said troop shall become a charge against the State until organized as required by the 5th section of this Act and placed under orders," which was adopted by the following vote:

YEAS — Messrs. Boyd, Branch, Cook, Crawford of Fannin, Darden, Dickson, Durant, Erath, Finlay, Graham, Harcourt, Hartley, Houston, Jordan, Lea, Mitchell, Obenchain, Reed, Shelley, and Weatherford—20.

NAYS—Messrs. Batte, Burnett, Crawford of Jasper, Guinn, Moore, Beasley, Parsons, Scarborough, Selman, Shepard, and Wheeler—11.

The call having been suspended, Mr. Harcourt moved to lay Mr. Weatherford's amendment on the table, whereupon the bill and amendment were laid on the table.

Mr. Boyd, one of the Committee on Military Affairs, on behalf of the committee reported a bill to perfect the organization of state troops and place the same on a war footing with the following amendment:

Strike from section 2 the words "post riders" and insert "mail carriers," and insert after "public roads," Judges of the Supreme and District and Clerks of said Courts, Secretary of State, Comptroller and Treasurer of the State, Chief Justices and Clerks of the County Courts, all officers of the Confederate States, engineers and conductors on railroads, officers and crew of steamboats and sheriffs."

Strike out section 9 and insert the following: "The organization of the militia of the State heretofore effected under the Act of February 14, 1860, shall be preserved so far as is consistent with the provisions of this Act and shall hereafter be regulated by the same, and all officers elected by virtue of the Act of February 14, 1860, shall continue to exercise the duties of their several offices until the 1st day of April, 1862, or until such time thereafter as their successors may be elected and qualified under the provisions of this Act, unless such officers shall sooner resign or be removed, and there shall be elected in accordance with this Act on the last Saturday in March, 1862, company and field officers to succeed those now in office under the Act of February 14, 1860, and all commissions issued under the provisions of this Act shall expire at the end of three years from their date except those of Brigadier Generals."

Add to section 17: "or unless his resignation shall be accepted by his superior officers."

Section 20—strike out "colonel" in 13th line and insert "he."

Section 21—insert after "12 months" in 3rd line "unless his resignation shall be accepted by his superior officer."

Section 33 — insert after the word "officers," "or private"

Section 40—strike out the word "issued" and insert "appointed."

Section 41—strike out the word "division" and insert "brigade."

Section 43—"All persons raising or organizing troops in this State under the authority of the Confederate States shall, before the removal of said troops from this State, file in the Adjutant General's office a complete muster roll of said troops."

Change section 43 to 44.

Section 44—strike out "500" and insert "one thousand or so much thereof as may be necessary." The bill was then made special order for 10 o'clock A. M. tomorrow. Mr. Boyd, Chairman of Committee on Roads, Bridges and Ferries, reported a substitute for a bill authorizing James W. Flanigan and his associates to construct a bridge across the Sabine River and recommended its adoption and passage.

A message was received from the House informing the Senate that the House had adopted the Senate's substitute, to amend Articles 1462 and 1465, Oldham &

White's Digest, and had refused to adopt Senate's substitute for a bill to protect the wool-growing interests of the State of Texas.

A bill for the relief of railroad companies. Read 2nd time. The yeas and nays being called on laying Mr. Weatherford's amendment on the table stood thus:

YEAS—Messrs. Batte, Branch, Cook, Finlay, Guinn, Harcourt, Jordan, Moore, and Shepard—9.

NAYS—Messrs. Boyd, Burnett, Crawford of Fannin, Crawford of Jasper, Darden, Dickson, Durant, Graham, Houston, Lea, Mitchell, Beasley, Obenchain, Parsons, Reed, Scarborough, Selman, Shelley, Weatherford, and Wheeler—20.

Mr. Durant offered the following substitute for the amendment: "provided that before said railroad companies shall be entitled to this relief they shall first execute a bond to the Comptroller of the State for all interest now due, said bond to bear the same interest as the original and to be secured by mortgage on the lands. It is further provided that as the interest upon the original bonds shall become due, similar bonds and mortgages shall be executed during the continuance of this Act."

Mr. Jordan offered the following as an amendment: strike out the words "given by the State to said company" and insert "now owned or which may hereafter be acquired by said company by donations from the State." Accepted, whereupon the bill was referred to a select committee of nine, and Messrs. Jordan, Guinn, Shelley, Shepard, Dickson, Cook, Lea, Weatherford, and Harcourt were constituted said committee.

The Senate then adjourned until 7½ o'clock P. M.

7½ o'clock P. M.

Senate met, roll called, quorum present.

Mr. Harcourt moved to reconsider the vote passing the bill for the relief of Honorable N. M. Burford.

Mr. Guinn moved that the Secretary be instructed to request from the House of Representatives the return of the bill, it having been transmitted to that branch of the Legislature.

Mr. Shepard made a question of order, whereupon the President ruled that both Mr. Harcourt's and Mr. Guinn's motion were out of order, when Mr. Guinn appealed, and thereupon the Senate refused to sustain the decision of the President by the following vote:

YEAS — Messrs. Beasley, Boyd, Dickson, Finlay, Gra-

ham, Houston, Moore, Obenchain, Reed, Scarborough, Shepard, and Weatherford—12.

NAYS—Messrs. Batte, Branch, Burnett, Cook, Crawford of Fannin, Crawford of Jasper, Darden, Durant, Erath, Guinn, Harcourt, Jordan, Lea, Mitchell, Selman, Shelley, and Wheeler—18.

Mr. Weatherford then moved to lay Mr. Guinn's motion on the table upon which the yeas and nays stood thus:

YEAS—Messrs. Beasley, Boyd, Cook, Dickson, Erath, Finlay, Graham, Houston, Lea, Moore, Obenchain, Reed, Scarborough, Shepard, and Weatherford—15.

NAYS—Messrs. Batte, Branch, Burnett, Crawford of Fannin, Crawford of Jasper, Darden, Durant, Guinn, Harcourt, Hartley, Jordan, Mitchell, Selman, Shelley, and Wheeler—15, the President voting nay.

Mr. Shepard then moved a call of the Senate which, being sustained, a bill supplemental to an Act to incorporate the West Fork Bridge Company was taken up, read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed by the following vote:

YEAS—Messrs. Batte, Beasley, Burnett, Cook, Crawford of Fannin, Dickson, Finlay, Graham, Guinn, Harcourt, Houston, Jordan, Mitchell, Moore, Obenchain, Parsons, Reed, Scarborough, Selman, Shelley, Shepard, and Weatherford—22.

NAYS — Messrs. Boyd, Branch, Crawford of Jasper, Durant, Lea, and Wheeler—6.

The call having been suspended, the Senate refused to carry Mr. Guinn's motion to instruct the Secretary, &c., by the following vote:

YEAS—Messrs. Batte, Branch, Burnett, Crawford of Fannin, Crawford of Jasper, Darden, Durant, Guinn, Harcourt, Hartley, Jordan, Mitchell, Moore, Selman, Shelley, and Wheeler—[16].

NAYS — Messrs. Boyd, Beasley, Cook, Darden, Dickson, Erath, Finlay, Graham, Houston, Lea, Moore, Obenchain, Parsons, Reed, Scarborough, Shepard, and Weatherford—17.

A joint resolution to amend the Constitution being in order was read 2nd time. Mr. Durant offered the following amendment: after the word "law" add "and no one session shall continue longer than sixty days.

Upon Mr. Shelley's motion the resolution was indefinitely postponed by the following vote:

YEAS—Messrs. Batte, Beasley, Cook, Jordan, Darden, Durant, Graham, Guinn, Harcourt, Hartley, Lea, Mitchell,

Obenchain, Parsons, Reed, Scarborough, Selman, Shelley, and Shepard—19.

NAYS—Messrs. Boyd, Branch, Burnett, Crawford of Fannin, Crawford of Jasper, Dickson, Erath, Finlay, Moore, Weatherford, and Wheeler—11.

Thereupon the Senate adjourned until 9½ A. M. tomorrow.

Wednesday, December 18, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called, quorum present. The journal of yesterday was read and adopted.

A bill to incorporate the Texas Manufacturing Company. Read 2nd time and passed to 3rd reading. On motion of Mr. Harcourt the name of C.W. Tait was stricken out. The bill was then read 3rd time and passed, Mr. Dickson voting nay.

Mr. Erath, Chairman of the Committee on Public Lands, reported the following as amendments to a bill to amend the 1st section of an Act requiring the return of unconditional certificates to the General Land Office: strike out "January, A. D. 1863" and insert "October, A. D. 1862."

Add to 1st section: "provided that this Act shall not be so construed as to interfere with or affect vested rights or revive and render valid any certificate location or survey which has been forfeited or annulled by a failure to comply with the requirements of the Act to which this is an amendment."

Mr. Guinn made the following reports from the Joint Committee on the Court of Claims: "After careful examination the committee have rejected the following applications for land—William Berryman for 1 league and labor, the heirs of Timothy Hart for headright and additional bounty, and Maria S. Smith for a headright—and have instructed that the following facts in the application of the heirs of Francis Asbury Jarrett be reported, to wit: Rev. F. A. Jarrett left the State of Tennessee in the Fall of 1835, for the purpose of selecting and securing himself a home in the then province of Texas, that in his travels towards the West he arrived at the camp of Colonel Fannin, on the Colletto, the day before the battle between Colonel Fannin and the Mexican forces, that from the testimony of one witness, who alleges that he participated in said battle and escaped the massacre, it appears that